

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	4:05CR3114
v.	)	
	)	
LAURO IVAN AGUILAR-CANCHE,	)	
	)	MEMORANDUM AND ORDER
Defendant.	)	
	)	

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Defendant has filed a motion to suppress evidence and had issued a subpoena duces tecum to Rhonda Lahm of the Nebraska State Patrol seeking production of "All documents and statistical information regarding Nebraska State Patrol Trooper Bigsby's traffic stops for the years 2003, 2004, and 2005 including information on the ticket number, violation date, type of violation, the license plate of the cars that were stopped and the state of origin of the license plate of any and all vehicles stopped during the herein stated times." The government has filed a motion to quash the subpoena, supported by a brief, arguing that the defendant has not complied with the requirement of a preliminary showing that he is entitled to such discovery, as required by *United States v. Armstrong*, 517 U.S. 456 (1996) and this court's ruling in *United States v. Hare*, 308 F.Supp.2d 955, 964-65 (D. Neb. 2004). Defendant has not responded to the motion.

There is no reason to discuss the matter extensively, as it is clear that the defendant has made no evidentiary showing justifying the request for discovery.

IT THEREFORE HEREBY IS ORDERED,

The motion to quash, filing 21, is granted.

DATED this 3<sup>rd</sup> day of March, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge